

United States Court of Appeals
FOR THE EIGHTH CIRCUIT

No. 99-2842

Anne Biehl and Deborah M. Davis,

Appellants,

v.

Washington University,

Appellee.

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Appeal from the United States
District Court for the
Eastern District of Missouri.

[UNPUBLISHED]

Submitted: April 14, 2000

Filed: April 27, 2000

Before BOWMAN, MAGILL, and HANSEN, Circuit Judges.

PER CURIAM.

Anne Biehl and Deborah Davis appeal from the order of the District Court¹ granting the motion of their former employer, Washington University, for summary judgment. Both Biehl and Davis asserted claims of sex discrimination. In addition, Biehl asserted a claim of age discrimination and Davis asserted a claim of race discrimination and of retaliation for having engaged in protected activity. For reversal, they argue in a variety of ways that their evidence is sufficient to create genuine issues

¹The Honorable Terry I. Adelman, United States Magistrate Judge for the Eastern District of Missouri, who presided over the case pursuant to the consent of the parties in accordance with 28 U.S.C. § 636(c).

of material fact and, therefore, that the District Court erred in granting summary judgment for the university.

Having reviewed the case, we conclude that the District Court did not err in granting summary judgment for Washington University. The university articulated non-discriminatory business reasons for all the decisions that affected Biehl and Davis, who failed to come forward with evidence to create a genuine issue of fact as to whether those reasons, or any of them, were a pretext for unlawful discrimination. Our conclusions regarding the lack of evidence to create a fact issue on pretext make it unnecessary to address the question of whether Biehl's and Davis's evidence was sufficient to make a prima facie case on any of their claims. Likewise, their failure to adduce evidence of pretext makes it unnecessary to address any of the other issues that are argued in the parties' briefs.

The order of the District Court is AFFIRMED. See 8th Cir. R. 47B.

A true copy.

Attest:

CLERK, U.S. COURT OF APPEALS, EIGHTH CIRCUIT.